



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

APPLICANT'S GUIDE TO AN ADMINISTRATIVE PERMIT FOR A MEDIUM WIND TURBINE SYSTEM

These guidelines provide information on how to apply for an Administrative Permit for a Medium Wind Turbine System. Review the attached Zoning Ordinance excerpts to determine where and under what restrictions this use is allowed. Please be sure to read ALL of the information in this Guide and application package forms.

OPTIONAL: Contact the Department of Planning and Land Use to set-up a pre-application meeting to determine the processing requirements and to discuss project specifics with various departments prior to formally submitting an application. To schedule a pre-application meeting, contact the Department of Planning and Land Use Zoning Information Counter at (858) 565-5981. Note: There is a deposit required for a pre-application meeting.

FILING REQUIREMENTS

Forms listed below have Data Entry Form Fields and can be saved and printed (<http://www.sdcounty.ca.gov/dplu/zoning/ZoningPermits.html>)

Complete the following forms:

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|----|---|-------------------------|
| 1. | Discretionary Permit Application | DPLU #346 |
| 2. | Supplemental Application | DPLU #346S ¹ |
| 3. | Ownership Disclosure | DPLU #305 |
| 4. | Evidence of Legal Parcel | DPLU #320 |
| 5. | Complete Public Notice Package | DPLU #514 and #524 |
| 6. | Service Availability Letters | DPLU #399 |
| 7. | Acknowledgement of Filing Fees and Deposits | DPLU #126 |

Include also:

- Eight (8) copies of your detailed plot plan. See DPLU #ZC090Z (Typical Plot Plan). The plan MUST be drawn to engineer's scale. Plot plan enlargements or reductions will not be accepted. The plot plan must clearly indicate compliance with the required setback for a medium wind turbine system. **The plot plans and elevations must be folded no larger than 8 1/2" x 11" with the lower right hand corner exposed.**
- Eight (8) sets of elevation drawings or sketches of EACH of the FOUR SIDES of the proposed wind turbine(s) including other structures if mounted. Elevation drawings must clearly show the system does not exceed 60 feet in height.
- Application fee. See fee schedule for amount on DPLU #369.
- Information demonstrating that the Medium Wind Turbine System will comply with CEQA and the Noise Ordinance. See additional information page 4.

¹This form will be "speaking" for you, so it is very important that your project is described in complete detail. For example specify the use, square footage, height, etc. of the proposed and existing structures.

EXCERPTS FROM THE ZONING ORDINANCE MEDIUM WIND TURBINE SYSTEM

Definition Wind Turbine System, Medium:

An installation consisting of one to five wind turbines in which the sum of the blade swept area of the turbines is no more than 850 square feet. This area shall be measured in the vertical plane perpendicular to the wind direction. (A 850 square foot blade swept area corresponds approximately with a blade diameter of 33 feet for one conventional horizontal axis wind turbine).

Section 1380, Wind Turbine System, Medium Use Type:

The wind turbine system (medium sized) use type refers to the production of electric power by up to five wind turbines, or systems in which the total blade swept area is no more than 850 square feet. The blade swept area shall be measured in the vertical plane perpendicular to the wind direction. This use type is permitted in all zones (except those having the S81 Ecological Resource Area Use Regulations) upon issuance of an administrative permit. This use type does not include uses classified as Major Impact Services and Utilities. Typical uses include wind turbine installation of medium size for residential or small scale commercial use.

Section 6950, Wind Turbine System, Medium Regulations:

A medium wind turbine system, shall be permitted on a parcel of at least one acre and require an Administrative Permit approved in accordance with the Administrative Permit Procedure commencing at Section 7050 and the following requirements:

- a. The following findings must be made prior to approval of an Administrative Permit:
 1. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - i. Harmony in scale, bulk, coverage and density;
 - ii. The availability of public facilities, services and utilities;
 - iii. The harmful effect, if any, upon desirable neighborhood character;
 - iv. The generation of traffic and the capacity and physical character of surrounding streets;
 - v. The suitability of the site for the type and intensity of use or development which is proposed; and to
 - vi. Any other relevant impact of the proposed use; and
 2. That the impacts, as described in paragraph "a.1." of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
 3. That the requirements of the California Environmental Quality Act have been complied with.
- b. Notification. Notification shall be in accordance with paragraph c of Section 7060.

- c. Setback. The wind turbines shall be set back from property lines and roads at least three times the height of the wind turbine (to the top of blade in vertical position) and shall meet the applicable setback requirements of the zone. The system must also meet fire setback requirements.
- d. Fencing. Public access shall be restricted through the use of a fence with locked gates, non-climbable towers or other suitable methods.
- e. Signs. Suitable warning signs containing a telephone number and an address for emergency calls and informational inquiries shall face all approaches to the project. Individual signs shall be between 5 and 16 square feet.
- f. Review. Review shall include an assessment of the impact on adjacent property with regard to:
 - 1. Location of installation in its relation to topographic features which would constitute an unusual safety hazard.
 - 2. Sensitivity of adjacent uses to noise and electrical interference and visual impact.
- g. Noise. The system shall meet the sound level limits of Title 3, Division 6, Chapter 4 of the San Diego County Code (Noise Abatement and Control).
- h. Height. For the purpose of calculating height, the height of the wind turbines shall mean the distance from ground to the top of the blade in vertical position. The system shall not exceed 60 feet.
- i. It shall be a condition of the permit that non-operational wind turbines shall be removed within 12 months after becoming non-operational.

Any waiver of modification of the above requirements shall be allowed only in accordance with the Variance Procedure commencing at Section 7100.

It is the applicant's responsibility to prepare a complete public notice package for the purpose of notifying nearby property owners that an application has been filed. The notice package must include all property within 300 feet of the exterior boundaries of the property **and** a minimum of 20 different property owners. In order to include 20 different property owners it will often be necessary to extend the notice well beyond 300 feet.

Section 7060 d:

d. PUBLIC HEARING

A public hearing shall not be held unless the administering agency determines that such hearing would be in the best interest of the County, or if required by applicable sections of the Zoning Ordinance where a hearing is requested by the applicant or other affected person.

If the County, the applicant or any other affected party requests a hearing, a decision on the application will be made by the Zoning Administrator at a public hearing. If no hearing is requested, a decision on the application will be made by the Director of Planning and Land Use. These decisions may be appealed to the Planning Commission.

ADDITIONAL INFORMATION

Noise:

A noise analysis study will be required for the project to demonstrate compliance with the California Environmental Quality Act (CEQA) and the County Noise Ordinance. For additional information contact the DPLU Noise Specialist at (858) 694-2960.

Environmental Review:

The deposit collected for the environmental review portion of the application covers review of the project for compliance with CEQA. If, after the initial review by DPLU staff, any environmental issues are identified or additional study is needed, the applicant will need to complete additional forms and an additional deposit will need to be made.

Signs:

At least one sign, from 5 to 16 square feet in size, is necessary for a ground mount system or a roof mount system. Additional signs may be required pursuant to section 6950.e. Sign location will be identified on the plot plan.

Building Permit:

Electrical and Building Permits are required for a wind turbine system. Applicants should contact the DPLU Building Division at (858) 565-5920 or toll-free at (888) 336-7553 for Code standards and requirements.

Department of Environmental Health

If your property uses a septic system and/or a well for water, you should contact the Department of Environmental Health to determine what requirements they will have for a wind turbine system.

Stormwater Regulations

Medium Wind Turbine System applicants may have to prepare a Stormwater Protection Plan as part of the Administrative Permit process. The operation of a Medium System must comply with all applicable stormwater regulations at all times. In addition, building permit plans must demonstrate how stormwater regulations will be met. The activities at a Wind Turbine System are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID) (<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one acre require that the property owner keep additional and updated information on-site concerning stormwater runoff.